

FILED

MAY 19 2008

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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOISMICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURTDERRICK CARTER

Plaintiff/Petitioner(s),

-vs-

Roger E Walker Jr. Danny Haft-
line, Daniel Austin, Lt Watkins,
Sup. Mahlant, C/o McLain
Defendant/Respondent(s).

08CV2897

JUDGE HART

MAGISTRATE JUDGE ASHMAN

MOTION AND AFFIDAVIT IN SUPPORT OF REQUEST
TO PROCEED IN FORMA PAUPERIS

I, Derrick Carter, being first duly sworn, depose and say that I am the plaintiff/petitioner in the above entitled cause; that in support of my request to proceed without being required to prepay fees, costs or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or to give security therefor, and that I believe I am entitled to relief.

The nature of the action is: ☒ Civil Rights ☐ Habeas Corpus ☐ Appeal1. Are you presently employed? Yes ☐ No ☒

a. If the answer is "yes", state the amount of your salary or wages per month, and give the name and address of your employer.

b. If the answer is "no", state the date of last employment and the amount of salary or wages per month which you received.

On or about, Nov 29, 2007, \$5.00 per month (vienna cc)

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or form of self-employment?

Yes ☐ No ☒

b. Rent payments, interest or dividends?

Yes ☐ No ☒

c. Pensions, annuities or life insurance payments?

Yes ☐ No ☒

d. Gifts or inheritances?

Yes ☒ No ☐

e. Any other sources?

Yes ☐ No ☒

If the answer to any of the above is "yes", describe each source of money and state the amount received during the past twelve months.

Family and Friends. \$5.00 total.

3. Do you own cash, or do you have money in a checking or savings account? Yes () No (☒) (include any funds in prison accounts). If the answer is "yes", state the total value of the items owned.
4. Do you own any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)? Yes () No (☒) If the answer is "yes", describe the property and state its approximate value.
5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

NONE

PRIOR LITIGATION

You may not bring a civil action or appeal a civil judgment under 28 U.S.C. § 1915 if you have "on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted" unless you are "under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

Have you ever filed any other lawsuits in any federal court during this or any other period of incarceration? Yes () No (☒)

If yes, please provide the following section about your prior cases. If necessary, you may attach additional pages to this form to provide all the required information about each of your prior cases. Failure to provide complete, accurate information about all your prior litigation may result in denial of your request to proceed *in forma pauperis*.

1. Case name: _____ Case Number: _____
- Court: _____ Date filed: _____
- Claims raised: _____
- Result: _____

2. Case name: _____ Case Number: _____
Court: _____ Date filed: _____
Claims raised: _____

Result: _____
3. Case name: _____ Case Number: _____
Court: _____ Date filed: _____
Claims raised: _____

Result: _____

DECLARATION UNDER PENALTY OF PERJURY

I declare (or certify, verify or state) under penalty of perjury, that I am the plaintiff/petitioner in the above action, that I have read the foregoing Motion and Affidavit and that the information contained therein is true and correct. 28 U.S.C. § 1746; 18 U.S.C. § 1621. I authorize the agency having custody of my person to withdraw funds from my prison trust account and forward payments to the Clerk of Court, in accord with 28 U.S.C. § 1915.

5-4-2008

Date



Signature of Plaintiff/Petitioner

CERTIFICATE

THIS SECTION FOR COMPLETION BY THE PLAINTIFF/PETITIONER

Name of Plaintiff/Petitioner: Derrick Carter
Institution where confined: Pinckneyville Correctional Center
Register number: R60201

THIS SECTION IS FOR COMPLETION BY AN AUTHORIZED OFFICER
OF THE ABOVE-NAMED INSTITUTION ONLY

Instructions: The plaintiff/petitioner may not write below this line. Please complete the following certificate for the plaintiff/petitioner named and described above.

PURSUANT TO 28 U.S.C. § 1915(a)(2),
PLEASE ATTACH A CERTIFIED PRINT-OUT OF
ALL TRANSACTIONS FOR THIS PERSON'S ACCOUNT
FOR THE PAST SIX MONTHS.

I hereby certify that Derrick Carter - R60201 currently has the sum
(Name of plaintiff/petitioner)

\$ 27.83 on account to his credit at Pinckneyville C.C.
(Institution where confined)

DATED: 4.01.08

Lisa. [Signature]
Signature of Authorized Officer of the above Institution

Date: 4/1/2008

Time: 10:47am

d_list_inmate_trans_statement_composite

Pinckneyville Correctional Center

Trust Fund

View Transactions

Page 1

Inmate: R60201 Carter, Derrick

Housing Unit: PNK-R5-B -52

Date	Source	Transaction Type	Batch	Reference #	Description	Amount	Balance
					Beginning Balance:	0.00	
01/28/08	Mail Room	04 Intake and Transfers In	028268	64290	Vienna C.C.	88.51	88.51
02/06/08	Point of Sale	60 Commissary	037724	408088	Commissary	-35.86	52.65
02/19/08	Disbursements	80 Postage	050341	Chk #52172	224546, IBF Postage, Inv. Date: 02/11/2008	-2.57	50.08
03/04/08	Point of Sale	60 Commissary	064724	410155	Commissary	-40.25	9.83
03/17/08	Disbursements	90 Medical Co-Pay	077341	Chk #52396	224805, DOC: 523 Fund Inmate R, Inv. Date: 03/13/2008	-2.00	7.83
03/26/08	Mail Room	01 MO/Checks (Not Held)	086268	C377858	Carter, Derrick	20.00	27.83

Total Inmate Funds: 27.83

Less Funds Held For Orders: .00

Less Funds Restricted: .00

Funds Available: 27.83

Total Furloughs: .00

Total Voluntary Restitutions: .00